

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF TEXAS
3 SAN ANTONIO DIVISION
4 Kati Wall, Michael Johnson, \$
Individually and as Personal\$
5 Representatives of The \$
Estate of Dennis Johnson and\$
6 the Estate of Sara Johnson, \$
and Dennis Johnson Jr., \$
7 Christopher Johnson, Deanna \$
Staton, and James Graham \$
8 \$ Civil Action No.
\$ SA-18-CV-00951
9 \$ Consolidated in
\$ Civil Action
10 VS. \$ NO. SA-18-CV-00555-XR
UNITED STATES OF AMERICA \$

11 -----
12 ORAL DEPOSITION OF
13 DENNIS JOHNSON, JR.
14
15 MARCH 2, 2020
16 -----

17 APPEARANCES:
18 FOR THE DEFENDANT:
BY: MR. CHRISTOPHER A. BATES
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Civil Division
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22 FOR THE PLAINTIFFS:
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1 DENNIS JOHNSON, JR.,
2 The Witness; and

3 ROXANNE BARRY,
4 Certified Shorthand Reporter in
and for the State of Texas
* * * * *

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1 ORAL ANSWERS AND DEPOSITION of the Witness,
2 DENNIS JOHNSON, JR., in answer to questions propounded
3 to him in the above numbered and styled cause, taken by
4 the Defendant before Roxanne Barry, a Certified
5 Shorthand Reporter in and for the State of Texas, at the
6 Jury Room of the Wilson County Courthouse, 1420 Third
7 St., Floresville, Texas 78114, on the 2nd day of March,
8 A.D. 2020, between the hours of 1:09 p.m. and 3:10 p.m.
9 pursuant to due notice.

10 It is stipulated and agreed by and between
11 Counsel and the respective parties hereto that the
12 Deposition of the Witness named in the caption hereto,
13 may be taken at this time and place, pursuant to due
14 notice, and that the said deposition, or any part
15 thereof, when so taken, may be used on the trial of this
16 case the same as if the Witness were present in court
17 testifying in person.

18 It is further stipulated and agreed by and
19 between Counsel and the respective parties hereto that
20 the deposition of the Witness shall be taken pursuant to
21 the Federal Rules of Civil Procedure.

22 * * * * *

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1 DENNIS JOHNSON, JR.,

2 having been first duly sworn, testified as follows:

3 EXAMINATION

4 Q. (BY MR. BATES) Good afternoon, Mr. Johnson.

5 A. Good afternoon.

6 Q. My name is Chris Bates and I represent the
7 United States.

8 A. Okay.

9 Q. I'm here with Faith Lawry of the U.S.
10 Attorney's Office. Could you please state your name for
11 the record?

12 A. Dennis Neal Johnson, Jr.

13 Q. And do you go by Dennis or Neal?

14 A. Neal.

15 Q. What's your date of birth?

16 A. [REDACTED] 67.

17 Q. Are you taking any medications today?

18 A. No.

19 Q. Is there anything you've taken that could
20 interfere with your understanding of my questions --

21 A. No.

22 Q. -- and giving truthful answers?

23 A. No, there isn't.

24 Q. Are you a plaintiff in this case?

25 A. Yes.

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1 Q. And are you suing on behalf of yourself?

2 A. On behalf of the family.

3 Q. But --

4 A. So okay, yes.

5 Q. Individually?

6 A. Yes.

7 Q. All right. Are you suing on behalf of anybody
8 else?

9 A. No.

10 Q. You've just been sworn in, so you're testimony
11 today is just as -- as if you were testifying before a
12 judge in federal court today. Do you understand that?

13 A. Yes.

14 Q. I have a series of questions for you. Some of
15 them may be personal or painful. It's not my intent to
16 embarrass or to cause you pain. My only job is to
17 obtain as much information as I can about the lawsuit.

18 A. All right.

19 Q. Okay. Before we begin, I'd like to have just a
20 few agreements with you. One is that if I ask a
21 question and you don't understand the question, will you
22 let me know and I'll try to break it down and make it a
23 better question?

24 A. Okay.

25 Q. Another is that I need you to give a verbal

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1 response to each question.

2 A. Okay.

3 Q. And the other is that any time you need to take
4 a break, please just let me know. Some of this may be
5 difficult for you and I want to make sure that we take a
6 break when you need one.

7 A. Okay.

8 Q. A few more points before we get started. When
9 I ask you a question, please respond truthfully and to
10 the best of your ability. If you don't know the answer,
11 don't guess. It's okay to just tell me that you don't
12 know the answer if that's the truth.

13 A. Okay.

14 Q. Lastly, we need to make sure that we don't talk
15 over each other.

16 A. Okay.

17 Q. So please wait until I finish asking a question
18 to answer even if you think you know where I'm going
19 with the question. And I'll wait for you to answer
20 before speaking, as well.

21 A. Okay.

22 Q. So that way the Court Reporter can get down --
23 get your entire answer down.

24 Have you reviewed anything to prepare for
25 your deposition today?

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1 A. No.

2 Q. Any medical notes, reports?

3 A. No.

4 Q. Investigative reports?

5 A. No.

6 Q. Did you bring -- So other than these
7 photographs and this letter that you handed me at the
8 beginning, have you brought any other material with you
9 today?

10 A. No, sir.

11 Q. During the investigation into the shooting on
12 November 5th, 2017, did you ever give your a written
13 statement to anyone?

14 A. No, sir.

15 Q. Did you ever give an oral statement?

16 A. Now, I want to make sure. The oral statement
17 to the event of what happened or to an investigator or a
18 sheriff or something? What do you mean?

19 Q. So it -- so it would be either. So let me
20 break it down. Have you ever given an oral statement
21 to, for instance, a police officer --

22 A. No.

23 Q. -- or an investigator?

24 A. No.

25 Q. Did you ever give an oral statement to a news

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1 reporter?

2 A. Yes.

3 Q. Okay. And how many statements did you give to
4 news reporters?

5 A. Same. Me and my sister has disagreement here.
6 She says I was a part of one of the -- of the statements
7 that we had talked to a news reporter from Dallas. I
8 don't recall being a part of that. But the second one
9 that I do recall was when they dedicated the church.

10 And that was -- and it wasn't nothing
11 about the shooting itself. It was about the dedication
12 of the new church. And if I was a part of the -- the
13 one newsletter from Dallas, it was about my parents; it
14 wasn't about their -- you know what I mean -- about the
15 death or what caused their death, I should say. It was
16 about their life is what it was about.

17 Q. You said that your -- your sister recalls that
18 you gave a statement to the Dallas reporter; is that
19 correct?

20 A. Well, not statement, that I was a part of it,
21 that the family had got together and was talking to
22 the -- and I don't recall being there but...

23 Q. And what's your sister's name?

24 A. Deanna.

25 Q. And which station does she say it was that you

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1 spoke to?

2 A. It was a newspaper.

3 Q. Newspaper. And which newspaper?

4 A. Dallas. I don't -- Dallas newspaper. I don't
5 know which one.

6 Q. And can you describe what your sister says you
7 said to the newspaper?

8 A. Oh, just being -- that's what I mean, I don't
9 know. I don't recall. I don't want to make up
10 something. I don't recall being there myself, so I must
11 have not said too much.

12 Q. With regard to the second statement, you said
13 that one was in regard to the dedication of a church; is
14 that correct?

15 A. Yes.

16 Q. Who did you give that statement to?

17 A. Their name is Sylvia Foster and she works at a
18 San Antonio newspaper. But she -- she's been covering
19 the church since the tragedy and she's been going
20 through our -- through the whole grief period with us.
21 And it's a reporter that we can trust with the church --
22 you know what I mean -- to where it's not a -- just some
23 random reporter.

24 It was -- She's with the -- not with the
25 church, but she talks to a lot of people in our church

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1 as our growth -- with the grief.

2 Q. When did you give that statement?

3 A. A year ago. Don't ask me a date. I will just
4 say it was around a year ago when the church was being
5 built.

6 Q. And what did you tell her?

7 A. Well, the question was -- it wasn't just me.
8 The whole church was there for this dedication. The
9 members -- family members of the people that were lost.
10 And so, their families were there. So we went into the
11 new building before they started doing the inside.

12 It was just all the blocks and mortar at
13 the time. And we wrote a little prayer or message to
14 our loved ones and it's forever entombed into the church
15 walls. You know what I mean? And she was just asking
16 on the statement -- she thought it was a beautiful
17 statement and -- and how I was feeling and what did I
18 hope for the church, you know, later on.

19 It was nothing deep. It was just, I
20 guess, just trying to feel our sympathy and putting
21 something out there.

22 Q. And what did you say to her?

23 A. I told her that my father was a back-row
24 Baptist. He sat in the back row in the corner and
25 that's why I had signed where the back row would be on

1 the wall because that represented where he sat at. And
2 it was just "I love you, I miss you" and that kind of
3 stuff, you know. It was nothing extravagant or nothing
4 like that. It was just -- she happened to come over to
5 us, I guess, because we was one of the first ones to
6 finish.

7 Q. So am I understanding correctly that you
8 described what you had written in the note --

9 A. Yes.

10 Q. -- to the reporter?

11 A. Yes. And it's in the paper. Yes, sir. It's
12 in the paper that -- you know what I mean? She wrote
13 what we had wrote. It's in the paper.

14 Q. Was there anything that you told her that was
15 not included in the paper?

16 A. No.

17 Q. And what -- what was being dedicated?

18 A. The church building itself, that -- the new
19 church that was being built. And I think it was,
20 like -- it was a one-year type service, memorial-type
21 service -- you know what I mean -- for the families to
22 get together.

23 Q. And you said you had written something that you
24 put in a brick in the --

25 A. No, sir. We just wrote on the cement -- on the

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1 block walls in, like -- with a marker, you know, a
2 little -- little "I love you, I miss you" note type
3 thing.

4 Q. And -- and what did you write in that note?

5 A. Pretty much that "I love you, I miss you, see
6 you on the other side" type thing.

7 Q. And what you wrote, is it still there at the
8 church?

9 A. Yes, sir, but you can't see it because the
10 church got built. You know what I mean? All the inside
11 of the church and the Sheetrock and all that's over it
12 now.

13 Q. Okay.

14 A. That was into, like, the core foundation of the
15 church when they first started building it.

16 Q. And going back to the first statement that your
17 sister remembers that you don't, when -- when does your
18 sister say that that happened?

19 A. Closely after when the news reporters were all
20 coming in on all the victim's families and trying to get
21 a scoop or -- you know what I mean -- just trying to
22 make it a story. A lot of them -- a lot of them wasn't
23 caring about the victims theirselves (sic). It was mainly
24 just trying to get a story for the paper. But this one
25 lady, she was more sympathetic, more caring about how

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1 things were posted. She was upset how other reporters
2 had reported the situation, how they was just coming in
3 like vultures and trying, you know, to get a story.

4 Q. And what was her name?

5 A. I couldn't tell you because I don't recall
6 being there.

7 Q. And you said this was soon after?

8 A. Yes.

9 Q. Like, within a week?

10 A. I would say not that soon. I would say months.
11 I would say, like, maybe three or four months.

12 Q. And other than the two statements that we've
13 just described, have you given any other oral
14 statements --

15 A. No, no.

16 Q. -- about the shooting?

17 A. No.

18 Q. Any statements about its impact on you?

19 A. To a newspaper, or to who are you talking
20 about?

21 Q. To a news reporter such as a newspaper or
22 television?

23 A. No, sir.

24 Q. Have you given any other oral statements to an
25 investigator or police officer?

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1 A. No, sir.

2 Q. Have you ever been interviewed about the
3 shooting or how it impacted you?

4 A. No, sir.

5 Q. Do you keep a diary?

6 A. Hold on. Let me take that back. Because I
7 want to be clear. The lady that -- Ms. Sylvia, when she
8 was asking -- I mean, she was asking, like, that kind of
9 type questions. But not -- It wasn't like it was a --
10 trying to get facts here for a case or anything like
11 that.

12 It was just common, you know what I mean?
13 It was just like we're talking now type thing, but not
14 -- I can't say that. But it was more just talking
15 amongst each other. It wasn't something to print or
16 nothing. It was -- She cared about how I was feeling,
17 how I was doing. It wasn't a printable thing.

18 Q. And what did you tell her in the course of that
19 conversation?

20 A. That I'm getting stronger as time goes. But
21 when I had started talking to her, I had started going
22 back to church, so I was healing. So that -- at that
23 point I told her how I felt at that point, not how I
24 feel now or how I felt when it first happened.

25 Q. And this was about a year ago?

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1 A. Yes.

2 Q. The conversation with her? Did you tell her
3 about how the shooting had impacted you?

4 A. No, we didn't discuss -- She didn't get into
5 that kind of graphics -- you know what I mean -- of the
6 -- of our conversation.

7 Q. Okay. Is there anything else from that
8 conversation with Ms. Foster that you recall telling
9 her?

10 A. It was more like, Tell me about your dad type
11 deal. You know? I mean, how -- how -- how him being
12 killed, how -- how are you adjusting, how are things?
13 You know what I mean? It was like concern-type
14 questions. Not a -- like I said -- reporting-type
15 questions. It was just conversation-type questions.

16 Q. Was she taking notes?

17 A. No, not at that time. Now, she was taking
18 notes when we was doing the -- talking about the wall
19 and stuff. She was taking notes then.

20 Q. I see. So there was a portion, I'm
21 understanding, that was on the record?

22 A. Right. And off the record-type thing. Thank
23 you. That's the word I was looking for.

24 Q. Do you keep a diary?

25 A. No, I do not.

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1 Q. Do you keep a calendar or notes or any sort
2 of --

3 A. No, sir.

4 Q. -- written recording of your daily events?

5 A. No, sir.

6 Q. Have you ever written anything down about the
7 shooting anywhere else?

8 A. No, sir.

9 Q. Or have you ever written anything down about
10 how it's impacted you?

11 A. No, sir.

12 Q. Have you ever written anything about the
13 shooting to another person?

14 A. No, sir.

15 Q. Are you on social media?

16 A. I'm on Facebook, yes.

17 Q. How often would you say you update Facebook?

18 A. When I find a funny little meme.

19 Q. Have you ever written on Facebook about the
20 shooting?

21 A. I haven't written, but I have posted stories
22 about our church because I have family members in
23 Florida. And I put it on there so that my family
24 members can see what, say, the San Antonio paper wrote
25 up or this magazine had wrote up. Stephen Willeford,

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1 say, for instance, his interview and stuff like that.

2 That's the kind of stuff I post.

3 Q. So, like, links to --

4 A. Yes, of stories that have been posted.

5 Q. And when you post those links, do you ever add
6 commentary?

7 A. No.

8 Q. Do you recall when the last time was that you
9 posted?

10 A. Probably two weeks ago. Now, we're just
11 talking posted anything or posted something about the
12 case?

13 Q. Posting a link or information about this issue.

14 A. Oh, it's been a while. It's been a while. So
15 I would say around a year since I did anything like
16 that.

17 Q. How soon after the shooting did you begin
18 posting on Facebook?

19 A. Just as soon as a link would come in. I mean,
20 that's the only date I can give you.

21 Q. Have you ever deleted anything from Facebook
22 that you've posted about, any -- any links or
23 information you posted about --

24 A. The shooting? No, I haven't deleted nothing.

25 Q. Have you ever deleted any links or posts about

1 how the shooting has impacted you?

2 A. No.

3 Q. Have you read news stories on the internet
4 about the shooting?

5 A. Yes.

6 Q. Have you ever commented on any of those
7 stories?

8 A. No, sir.

9 Q. Have you ever commented on another person's
10 social media about the shooting or its impact?

11 A. No, sir.

12 (Exhibit 1 marked.)

13 Q. (BY MR. BATES) I'm handing you a document.

14 A. Okay.

15 Q. It's Government Exhibit 1. This is a copy of
16 the notice of deposition. Have you seen this document
17 before?

18 A. No, sir.

19 Q. If you turn to Page 3 of the document --

20 A. (Complies.)

21 Q. -- you'll see that it contains a list of items
22 that we've asked you to bring. Have you brought any of
23 those item with you today?

24 A. Well, I brought the pictures. That's all I've
25 -- that's all I've brought. I have -- I have my phone

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1 here if you want to look at it. I have nothing to hide.
2 I mean, that's -- if you want to read them. That would
3 be no. I have not brought any of that. No. But at the
4 same time, how could I have brought this? I'm just now
5 receiving it.

6 Q. I understand. I think I may have asked this
7 earlier, but just to confirm. Other than the photos,
8 the letter and the envelope, you haven't brought any
9 other documents?

10 A. That's correct.

11 Q. Okay. Just go over a couple of these photos
12 with you. I'm not going to mark them because I don't
13 want to put a tag on the photos. I'm handing you a
14 photo. It's a picture of a older man and a young woman.
15 Do you recognize the people in that photo?

16 A. Yep.

17 Q. Can you describe who they are?

18 A. That's Dennis Neal Johnson, Sr. And Taylor ^
19 Danae Johnson. That's my oldest -- I mean, my youngest
20 daughter and that's my father.

21 Q. Thank you. I'm handing you another photo.
22 This has three people in it, standing. Can you
23 describe?

24 A. Yes. That's Dennis Neal Johnson, Sr., Dennis
25 Neal Johnson, Jr., Taylor Deanee Johnson. And that was

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1 taken at the same time that one was. That was our last
2 Christmas together.

3 Q. And who is standing on the right?

4 A. My right is Dennis Johnson, Sr.

5 Q. All right. And on the left is?

6 A. Is Junior.

7 Q. I'll show you one more photo. This is a group
8 of people seated at a dinner table. Can you identify
9 the people in that photograph for us?

10 A. Okay. That's Dennis Neal Johnson, Sr., Dennis
11 Neal Johnson, Jr. The two little girls were the
12 foreman's daughters. I do not know their name, but it
13 was the foreman on the farm's daughters. They were --
14 they was -- they came over for Christmas and had
15 Christmas with us.

16 Q. So -- so foreman refers not to their name --

17 A. No.

18 Q. -- but title?

19 A. To their father's title.

20 Q. Okay.

21 A. Their father was the foreman.

22 Q. So going left to right on this photo, at the
23 left is?

24 A. Dennis Neal Johnson, Sr., Dennis Neal Johnson,
25 Jr., and two grown girls now. They're not little no

1 more.

2 Q. Okay. Thank you. Dennis Johnson, Sr., you
3 mentioned is your father, correct?

4 A. Uh-huh.

5 Q. Who is Sara Johnson?

6 A. My stepmother.

7 Q. You're Dennis Johnson, Jr., correct?

8 A. Yes.

9 Q. Who is Michael Johnson?

10 A. That's my youngest brother. He's my half
11 brother. That's Dennis Johnson, Sr., and Sara Louise
12 Johnson's son together.

13 Q. Who is Deanna Staton?

14 A. That is my stepsister. That's Sara Louise
15 Johnson's daughter. But my dad adopted her when she was
16 young, so she's my legal, real sister now.

17 Q. Who is James Graham?

18 A. That my stepbrother from Sara Louise Johnson.

19 Q. Who is Kati Wall?

20 A. That is my niece/sister because my parents
21 adopted her at a young age.

22 Q. Who are Kati's parents?

23 A. Legally?

24 Q. Or her -- Who are Kati's biological parents?

25 A. Biological parents is Deanna Stratton -- or

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1 Staton. And I'm trying to think of the guy's -- Chris

2 Gray. That's what it his name was.

3 Q. Do you know how to spell Gray?

4 A. G-R-A-Y.

5 Q. And who is Christopher Johnson?

6 A. That is my nephew/brother.

7 Q. And he was also --

8 A. Also adopted.

9 Q. By Sara and Dennis?

10 A. That same as Kati.

11 Q. Just go through and make sure I'm
12 understanding.

13 A. Yeah. It's a mixed pot here.

14 Q. So Dennis Johnson, Sr., is your father,
15 correct?

16 A. Yes.

17 Q. Sara Johnson is your stepmother?

18 A. Yes.

19 Q. What is your mother's name?

20 A. My real mother is Phyllis Sue Johnson. She
21 died when I was four. Her maiden name was Phinny,
22 P-H-I-N-N-Y.

23 Q. How old were you when Dennis and Sara got
24 married?

25 A. I think five, maybe six.

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1 Q. Did you mother have any other children?

2 A. Yes. Don't know their names.

3 Q. Did your mother have any other children with
4 your father?

5 A. No.

6 Q. Were those children that she had before she met
7 your father?

8 A. Yes, in a previous marriage.

9 Q. Do you know how old your mother was when she
10 died?

11 A. In her 20s. She died in '70 -- I want to say
12 '72, '74, around in there. I was just -- I was little.
13 I don't -- you know what I mean? It was not a -- I
14 didn't get to go to her funeral or anything, so I didn't
15 even know about her being dead until, like, a couple of
16 years later. They kept that from me. I guess because I
17 was so young.

18 Q. Did Dennis have any other children besides you
19 when he married Sara?

20 A. No.

21 Q. You said Michael Johnson is your half brother?

22 A. Yes.

23 Q. And I'm sorry -- Can you repeat who his
24 parents?

25 A. Michael Johnson's?

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1 Q. Yeah.

2 A. Is Dennis Johnson, Sr., and Sara Louise
3 Johnson. Sara already had Jimmy and Deanna. And when
4 they got married they brought me along. And then they
5 were together they had Michael.

6 Q. Okay. And do you know who Jimmy and Deanna's
7 mother (sic) was?

8 A. Who Jimmy --

9 Q. I'm sorry. Who their father was.

10 A. I know his last name was Graham. I think was
11 James Graham.

12 Q. And they have the same father?

13 A. Yes.

14 Q. Do you have any relatives, either through blood
15 or marriage, who were in the, in the First Baptist
16 Church of Sutherland Springs on the day of the shooting?

17 A. Do I have any? Yes. I had a father and a
18 stepmother.

19 Q. Any other relatives?

20 A. No.

21 Q. What's your address?

22 A. [REDACTED], La Vernia, Texas, [REDACTED].

23 Q. And how far is that from here?

24 A. 15 miles.

25 Q. How long have you lived there?

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1 A. Seven years.

2 Q. Does anyone live there with you?

3 A. No.

4 Q. Do you own or rent?

5 A. I rent.

6 Q. Where did you live before your current address?

7 A. [REDACTED] in Floresville, Texas.

8 Q. Did anyone live with you at that address?

9 A. Yes, Angela Marie Johnson.

10 Q. And who is Angela?

11 A. That's my wife.

12 Q. Are you and Angela still married?

13 A. We're separated.

14 Q. And how long have you been separated?

15 A. About ten years.

16 Q. Did anyone other than Angela live with you at

17 that prior address?

18 A. Leah Nicole Johnson -- that's my oldest

19 daughter -- and Taylor Deane Johnson, my youngest. And

20 every other weekend Adam Schraad.

21 Q. Who is Adam Schraad?

22 A. That was my stepson.

23 Q. Angela's son?

24 A. Yes.

25 Q. Before you and Angela got married?

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1 A. Right.

2 Q. Where does Leah live now?

3 A. In Lubbock.

4 Q. And how long has she lived there?

5 A. Time marches fast, so I want to say five, six
6 years, so...

7 Q. How about Taylor, where does Taylor live?

8 A. She lives in Austin now. She left right after
9 high school last year.

10 Q. And how about Adam, where does -- where does
11 he --

12 A. In Austin, also. She lives with him.

13 Q. Taylor lives with Adam?

14 A. Yes.

15 Q. Do they live with Angela?

16 A. Yeah. She's there, also.

17 Q. How old is Leah?

18 A. 27.

19 Q. And how about Taylor, how old is Taylor?

20 A. 19.

21 Q. And Adam?

22 A. I can't remember if he was a little older or
23 --probably 29, 28, 29.

24 Q. And how old is Angela?

25 A. 53.

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1 Q. When did you and Angela get married?

2 A. Don't look good. '93? Hold on. Let me check
3 that. Yeah, about '93. I think it was '93.

4 Q. And you said you've been separated about ten
5 years?

6 A. Yeah.

7 Q. Had you previously been separated at all before
8 that?

9 A. No.

10 Q. How did you and Angela meet?

11 A. In a bar.

12 Q. Do you know what Angela does for work?

13 A. She works in a retail store now. I don't know
14 the name of it or -- I don't get in her business and she
15 don't get in mine.

16 Q. When you and Angela were together, was she
17 working?

18 A. Yes. She was a dental assistant.

19 Q. I think that we've gone through your siblings.
20 Do you have any siblings we haven't talked about?

21 A. Oh, no. No.

22 Q. Okay. Where does Michael Johnson live?

23 A. At my father's place. I think it's [REDACTED]

24 [REDACTED], Floresville, Texas.

25 Q. And how about Deanna, where does she live?

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1 A. She lives in Florida, Cocoa Beach, Florida.

2 She just moved there.

3 Q. How long ago did she move there?

4 A. I don't know. About around six months ago,
5 around.

6 Q. And how about James Graham?

7 A. He lives in Astor, Florida.

8 Q. So we talked about Leah and Taylor. Do you
9 have any other children?

10 A. Not that I know of.

11 Q. Where did you attend high school?

12 A. In -- I went all the way up to my -- half my
13 senior year in Pierson Taylor High School -- that's in
14 Pierson, Florida -- and Floresville, the last part of my
15 senior year in Floresville High School.

16 Q. Was your -- was your family living in Florida
17 prior to --

18 A. Yes.

19 Q. Halfway through your senior year?

20 A. Yes. We were Floridians.

21 Q. And where in Florida did you live?

22 A. In central, central Florida. The north -- It's
23 northwest -- I mean, northeast Volusia County around the
24 Daytona Beach area.

25 Q. Do you know why your parents decided to move

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1 from Florida to Texas?

2 A. Yes, work.

3 Q. Was it your dad's job?

4 A. Yes.

5 Q. Okay. And what -- what job was it that brought
6 him to Texas?

7 A. Continental Floral Greens.

8 Q. And was he working for that company in Florida,
9 as well?

10 A. Not as the main guy. He was a contractor that
11 would work. He built the structures that covered the
12 leather leaf fern. And they had a farm here in Texas
13 that they was gonna try out because of the peanut farm.
14 The sand was like the Florida sand. And so, we came
15 that summer of '84 and built the structures. And then
16 the guy offered my dad the superintendent job.

17 Q. Prior to moving to Texas, had you lived in
18 Florida your whole life?

19 A. Yes.

20 Q. Had you lived in Volusia County area your whole
21 life?

22 A. Yes.

23 Q. And did you graduate from high school here in
24 Floresville?

25 A. Yes.

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1 Q. Did you attend college?

2 A. No.

3 Q. Trade school?

4 A. Yes, sheet metal union.

5 Q. And how long did you attend that trade school
6 for?

7 A. Four years.

8 Q. Four years. And was there a degree that they
9 granted or certificate at the end of the four year?

10 A. You just become a certified sheet metal worker.
11 You know what I mean?

12 Q. And was there a particular name of the school?

13 A. Local 67. The union itself does the school.

14 Q. Are you currently employed?

15 A. Yes.

16 Q. What do you do for work?

17 A. Right now I put in driveways, clear -- clear
18 wooded areas for new homes to go in. After the new
19 homes are built, we clean up the area. It's for the new
20 homeowner to move into.

21 Q. What's your employer's name?

22 A. Kip Workman, K-I-P, Workman.

23 Q. And is that an individual?

24 A. Yes.

25 Q. And what would you say your job title or job

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1 position is?

2 A. I don't know, but -- It's just me and him. I'm
3 the lowest man on the totem pole. Put it that way.

4 Q. And that -- that's work here in the local area?

5 A. Yes.

6 Q. And is this full-time work?

7 A. Yes.

8 Q. How many days a week would you say?

9 A. Well, if it don't rain, it could be seven, but
10 just say five.

11 Q. And what's your annual income?

12 A. Not much. Give me 24 times 12.

13 Q. 288?

14 A. Boom. That's -- there it is, give or take.

15 I'm just rounding off numbers.

16 Q. And is that per week or --

17 A. I make -- I make \$600 a week, basically, when
18 it's a full week. Six times 4 is 24 and 24 times 12.

19 Q. And you mentioned you lay driveway. What are
20 some of the other things that you do for the job?

21 A. We -- I do everything. There's not much thing
22 -- build fence, feed cattle, whatever -- move mobile
23 homes, whatever somebody's got to do. It's his business
24 and whatever they need done, they call him and you know
25 what I mean, whatever the job is, they help.

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1 Q. Just a variety of --

2 A. A variety.

3 Q. -- home construction related tasks?

4 A. That's correct.

5 Q. Is that your only source of income?

6 A. Yes.

7 Q. Does anyone else help to support you
8 financially?

9 A. No, sir.

10 Q. How long have you worked for Mr. Workman?

11 A. Probably six, six to seven years.

12 Q. And what did you do before working for
13 Mr. Workman?

14 A. I was sheet metal with the union, but I got
15 tired of getting laid off.

16 Q. Prior to working for Mr. Workman, had you had
17 any other jobs other than sheet metal since graduating
18 from trade school?

19 A. No.

20 Q. And when you say working in sheet metal, what
21 exactly does that entail?

22 A. Putting in the ducting system for hospital,
23 schools. Not the residential. This was all commercial
24 stuff. Mainly base work and stuff like that.

25 Q. At the time of the shooting in November 2017,

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1 were you working for Mr. Workman?

2 A. Yes.

3 Q. Did you stop working at all after the shooting?

4 A. Yes.

5 Q. For how long would you say you stopped working?

6 A. There was a two-month stretch there, but I had
7 to eat it.

8 Q. When you went back to work after those two
9 months, was it full or part-time?

10 A. It was full.

11 Q. And have you continued to work full-time since
12 you went back?

13 A. Yes, sir. I'm sorry. I nodded my head.

14 Q. Thank you. Do you have any chronic health
15 problems or illnesses?

16 A. No, sir.

17 Q. Have you had any major surgeries?

18 A. Yes, I have had major surgery. Broke my neck
19 and ripped my face off in a car accident.

20 Q. And how long ago was that?

21 A. Oh, I think that was, like, '98.

22 Q. And how long were you out of commission after
23 that?

24 A. A year, for sure.

25 Q. Have you had any other surgeries since that

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1 time?

2 A. No, sir.

3 Q. Did that accident affect your long-term ability
4 to work?

5 A. It might have, but I pushed on through it. You
6 know what I mean?

7 Q. Are you on any medication?

8 A. No.

9 Q. Are you currently seeing any physicians?

10 A. No.

11 Q. Do you receive any type of therapy or
12 counseling?

13 A. I have, but I've progressed on to just the
14 church, other fellow members there that are dealing with
15 the same thing. But as far as just taking off with a
16 counselor, that was for about eight months I did that.

17 Q. And do you see any -- Did you have any therapy
18 or counseling before the shooting?

19 A. No.

20 Q. How long after the shooting did you begin going
21 to counseling?

22 A. Probably -- I'm going to say around six months.

23 Q. And you said you went to counseling for about
24 eight months?

25 A. Yes.

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1 Q. Where did you go to counseling?

2 A. It was -- It's a place in La Vernia, but it was
3 -- It started from the shooting. It -- So it's -- I
4 don't know if the government paid for it or who pays for
5 it, but I was able to go to it. There's no -- was no
6 fee or nothing. I just go and talk to a counselor.

7 Q. So no out-of-pocket?

8 A. I don't know the name of the place and I don't
9 want to give you the wrong name, but it was something
10 like something Hope or something like that. I can't --
11 I can't recall the name of the place.

12 Q. And it wasn't an out-of-pocket expense for you?

13 A. No, sir.

14 Q. And do you recall -- So the place was in La
15 Vernia. Maybe it had Hope in the name. Do you recall
16 anything else about the place you went for counseling?

17 A. Well, I know -- okay, this is -- I went to the
18 church because I was in -- destitute. I had to do --
19 make some kind of -- something had to break free. It
20 was like a dam. So I went to the church and I talked to
21 the church secretary.

22 Now, I know these people so, you know what
23 I mean, it wasn't like I was going to strangers asking
24 for help. So I went to talk to the secretary and she
25 lined me up with the counselor. And the counselor also

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1 goes to that church, but she is a counselor at the same
2 time.

3 When I first started it was a room in the
4 back of the old church that we went to. But once the --
5 I guess funds, more funds came in, they was able to
6 purchase -- or -- or lease -- I don't want to say
7 purchase -- lease a place for -- you know what I mean?

8 Because was it hard for me to go to the
9 church where it all happened to be counseled, you know.
10 So that's one of the reasons I think they moved it away
11 from the church.

12 Q. So the counselor was a member of the First
13 Baptist Church of Sutherland Springs?

14 A. Yes.

15 Q. And do you know if the counselor was a licensed
16 counselor?

17 A. Yes, he (sic) is. He's (sic) licensed. And I
18 chose her. I mean, there was -- I could have chose a
19 male or -- I wasn't forced to be with her. You know
20 what I mean? I was just with her because I wanted my
21 counseling to be faith based. You know what I mean? So
22 I went with her because I knew of the way she -- being a
23 Christian and everything, that it was going to be more
24 faith based.

25 Q. Did you know her before you began counseling?

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1 A. No, I did not.

2 Q. And what's her name?

3 A. Her name is Sheri Colbath. Now it's Colbath.

4 She just married. She just married David Colbath.

5 Q. What was it at the time when you were -- when
6 you --

7 A. Huh-uh, buddy. Don't get me lying. I didn't
8 know Shary.

9 Q. Initially you met with her at the church,
10 correct?

11 A. Yes.

12 Q. Later went to --

13 A. We went to --

14 Q. -- a different site in La Vernia, correct?

15 A. Yes.

16 Q. And you said you met with her for about eight
17 months?

18 A. Yes.

19 Q. How -- how often did you meet with her?

20 A. It was once a week.

21 Q. And was it just you and her?

22 A. Yes, it was a one-on-one session.

23 Q. Did you do any group counseling?

24 A. No.

25 Q. Earlier when we were talking about when you

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1 started going to her, you said that there was kind of
2 like a dam that you felt you need to break. Can you
3 elaborate on that a little bit, on those feeling that
4 you had?

5 A. Yes. Yes, I can. Like I told you earlier,
6 that my mother passed away when I was young and I didn't
7 know that she had passed away. I mean, I got sent -- I
8 was at a baby-sitter's. And she's the one that dropped
9 me off and never came back.

10 And my -- and I was young and I guess
11 immature, young, and my dad made a decision not to tell
12 me that my mother had died. So I had grief. I would
13 say I had grief problems, you know what I mean? More --
14 it was more like I felt -- I'm trying to think as what
15 that four-year-old would, more like abandonment issues
16 than grief, you know, for my mother.

17 So when my parents passed away, at first
18 it was sort of -- it was -- it was almost like this
19 ain't really happening. You know what I mean? This --
20 It was denial that it's even happened and they were one
21 of the victims. I thought maybe they were in the
22 hospital. I didn't know that they had passed away.

23 So it still with that -- There was a
24 lingering gap in there of not knowing whether they
25 survived or -- or they were in the hospital. So you

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1 bundle up your emotions right then. You don't get to
2 instantly -- you know what I mean -- grieve for the
3 loss. And I don't know how much of this to tell you.

4 Some of this is my personal own demons of
5 dealing with -- self-medicating to deal with problems.
6 I put on a facade that everything was fine and -- and
7 the responsibility of being Dennis Neal Johnson, Jr., to
8 console others and -- and to put that face on.

9 Well-- And I just kept working, just
10 worked. Instead of dealing with anything, I would just
11 work till finally I just hit a wall and -- and I could
12 not continue like this without getting some kind of help
13 because depression was setting in.

14 And I was isolating myself from everyone,
15 my family, my friends, everybody. And so, that's when I
16 -- I'm still raising my daughter at the time ^^ -- you
17 know what I mean -- Taylor. I'm still -- I'm still
18 raising her so I have to be a functioning adult to
19 provide for her, but -- and try to keep -- and I don't
20 know why, but keep a facade that -- that it don't
21 hurt -- you know what I mean -- that everything is going
22 to be fine.

23 And I had to realize that I had to quit
24 trying to be tough. You know what I mean? And so, I
25 was contemplating suicide, but then I didn't want to

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1 bail out on her or my other girls. I had a lot of anger
2 and I had no way to deal with it.

3 And self-medicating wasn't helping
4 anymore, so I just made a choice to go to the church and
5 see what they could do for me.

6 Q. When you say self-medicating, what do you mean
7 by that?

8 A. Yeah, it means what you think it means. Okay?
9 It means that.

10 Q. Alcohol?

11 A. Alcohol, whatever took my -- took it off my
12 mind.

13 Q. Prior to the shooting, had you ever experienced
14 feelings of depression?

15 A. Probably. Yes, I mean, but not unto the --
16 where I totally isolated myself and closed myself off
17 type. It just added another brick to the wall, you
18 know. And I just felt closed in. And that's why I had
19 to -- like I said, a dam had to break and I just burst
20 through it to go get help.

21 Q. And you said that Taylor was living with you at
22 this time?

23 A. Yes.

24 Q. When did Taylor move out?

25 A. She moved out last -- She graduated last year

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1 and that's when she moved out.

2 Q. Okay. So she was still in high school at that
3 time?

4 A. Yes.

5 Q. And so, you met with Shary?

6 A. Yes.

7 Q. For about eight months once a week. Did you
8 see any other counselors other than Shary?

9 A. Yes. Well, I did say, counselors. I'm going
10 to say the church. I -- I -- At first I didn't want to
11 go to the church because it brought back too much
12 memories, the fear of somebody coming in and shooting
13 again.

14 I couldn't -- I didn't like the doors
15 closed. And -- But I started in slowly. I didn't just
16 jump in with both feet. I would just -- I would go on
17 Thursday nights. They have Thursday night Bible study,
18 so I started off by doing that.

19 And then the love of the people of the
20 church, because they understood where I was coming from,
21 the acceptance -- not pity, but acceptance of -- it was
22 all right to be sad. That's why I quit going to
23 counseling and I turned my life over to God, just became
24 an active member of our church.

25 Q. Had you attended actively prior to shooting?

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1 A. I looked towards the cross and look away, look
2 towards the cross and look away. It was the type of
3 thing where my dad was constantly giving me Go to
4 church, son. All these things going to keep happening
5 as long as you turn away from God.

6 And the man was nothing but wisdom, so I
7 would start going when I'd hit bottom -- you know what I
8 mean -- get laid off. How we going to pay the bills,
9 they're fixing to come take vehicles or whatever, then
10 I'd turn back the Christ.

11 And then once everything started rolling
12 and going again, I'd -- I got it from here, God, thank
13 you. You know, that type of deal. So I was raised -- I
14 was raised in church. I guess I was about -- I want to
15 say I was probably around 10 or 11 when I accepted
16 Christ, but I was young then and I was -- we was -- when
17 my dad and Sara became Christians, they became
18 Christians on the same day.

19 Q. And when was that?

20 A. Okay. '77, somewhere around there, '76. If I
21 was born in '67, I'm -- I'm just giving you a round, but
22 these are just round -- I don't know exact dates. And
23 so, we went to church every time the door -- my dad
24 about-faced his life.

25 He was an alcoholic and -- and a guy name

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1 Mr. Ashcraft, a deacon at the church where we was
2 growing up, he lived -- he had to drive past our house
3 to go to his. And that man would stop and knock on the
4 door every Thursday and invite us to church.

5 And I still remember Daddy said, Let's
6 just go on down there because the man ain't going to
7 quit until we go in there. My dad started going church
8 and he accepted Christ and we became a church family.
9 Every time them doors opened, we was in church.

10 I was raised in the youth, RA's went to
11 the camp. And we was raised to -- we was raised right.
12 And just me turning away from the cross is just, I
13 guess, the teenage rebellion or of being in church and
14 being told no, no, no all the time.

15 And as soon as you're a teenager and you
16 get out there on your own -- raising a pig on concrete
17 and the first time he gets out of the pen and he gets in
18 that mud, he gets it all over him. So that's pretty
19 much what happened to me.

20 Q. So if I'm understanding correctly, prior to the
21 shooting you kind of went off and on to church?

22 A. Off and on, yes.

23 Q. And at what point after the shooting did you
24 start attending church?

25 A. Probably about a year. It was around that

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1 time. It was around in that time. I was just starting
2 to go back when -- when we did the writing on the wall
3 stuff. I had probably been going there a month or two,
4 you know, something like that.

5 Q. Have you attended regularly since that time?

6 A. Since then, yes. I attend regularly.

7 Q. Were you a member of the First Baptist Church
8 before the shooting?

9 A. I'm not a member. I'm still not a member
10 because I don't believe membership is what it's -- the
11 church membership what it's about. Because -- I don't
12 know. I'm a Christian. I'm not a -- I don't -- I'm not
13 into the religion part of things.

14 I'm more into Christ himself. So I don't
15 -- so I don't want to say -- I'm probably a member of
16 the Pierson First Baptist Church when I was a little kid
17 and you get saved. I'm probably still on their rolls as
18 a member.

19 Q. In Florida?

20 A. Yeah. But the membership part is not a big
21 deal to me.

22 Q. Have you ever met Devin Kelley?

23 A. Had I met him? No. I never even knew the guy
24 existed.

25 Q. Did you know Danielle Kelley?

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1 A. I had seen her as a little girl on some of my
2 turns to the cross and turn-aways when I would go to
3 church with Dad. I remember her as a little girl. But
4 she didn't have boyfriends. She was still sitting with
5 Mama and stuff with her little brother in church.

6 Q. Did you know her at all after she was no
7 longer a little girl?

8 A. No, no. Because, like, I would turn back --
9 get it -- and take over from God's -- and that's when
10 she, I guess, grew up and lived her life. Because when
11 I say I turn away from the cross, it wasn't like I was
12 gone and I missed a couple of Sundays. No, I would go
13 stretches, you know, couple of years.

14 Q. Had you ever heard any discussion about
15 Danielle and her relationship with Devin or --

16 A. Have I heard their -- since?

17 Q. Prior to the shooting.

18 A. No.

19 Q. What have you heard since?

20 A. Just her story. I've seen her story on the
21 news interview.

22 Q. Have you talked with her at all since?

23 A. No. I've seen her and I've wanted to -- to
24 tell her I don't hold it against her because she was
25 abused. She was a victim, also. She just wasn't

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1 killed. That's the only thing. But she was just as
2 much of a victim.

3 Q. Do you know Michelle Fields?

4 A. Yes.

5 Q. How do you know her?

6 A. I know her from church. Also, she's a bank
7 teller at Wells Fargo.

8 Q. How often did you see her before the shooting?

9 A. Just when I would see her around town. It was
10 occasional, you know, sightings.

11 Q. At the bank?

12 A. Yeah, at the bank and stuff like that.

13 Q. Did you ever see her at church?

14 A. Yes.

15 Q. Did you ever see who she would attend church
16 with?

17 A. Her husband, I guess, Ben Fields. And then he
18 wore a back brace. I just -- That's how I remember
19 them, focusing out on, because he had that back brace
20 all the time on.

21 Q. Did you see or interact with any other folks at
22 church?

23 A. Everybody. You know what I mean? Like when
24 you -- everybody hugs and shakes hands and hello, how
25 you dos, that type of thing.

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1 Q. Do you know if she regularly attended church?

2 A. I -- I don't, I can't speak for that. I don't
3 know.

4 Q. Do you know of any issues between Michelle and
5 Danielle?

6 A. None.

7 Q. Do you know of any issues between Michelle and
8 Devin Kelley?

9 A. No.

10 Q. Okay. Do you know or did you know Lulu White?

11 A. Yes, Ms. Lulu, I knew her. She was a
12 sweetheart.

13 Q. How do you -- how do you know her?

14 A. She was the church secretary. And she was just
15 a very loving lady. You know what I mean? She makes
16 you love her. You didn't have a choice.

17 Q. Did you know her at all outside of church?

18 A. No. Didn't know the lady from nobody.

19 Q. But -- but you interacted with her at church?

20 A. She'd make you. You're going to hug her. You
21 ain't got a choice.

22 Q. Do you know who she would attend church with?

23 A. She lives -- I know besides Michelle. They
24 live side-by-side. I think the property was probably
25 split up because where Ms. Lou lived and then her

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1 daughter has a house right beside them. And the reason
2 I know that is because I put a driveway in there on
3 their property.

4 Q. Do you know if she regularly attended church?

5 A. Ms. Lou? Oh, yes.

6 Q. And did you know of any issues between her and
7 Michelle?

8 A. No. I don't. I had never noticed. I didn't
9 get in that part of their life. I don't -- you know
10 what I mean? I don't know what their personal life was
11 like. I just know the church life. And the church life
12 was loving.

13 Q. You didn't know her outside of church?

14 A. No.

15 Q. Prior to the shooting, when you would attend
16 the First Baptist Church, what kind of services did you
17 attend?

18 A. The morning service.

19 Q. Okay. Morning service. Did you ever go to,
20 like, Sunday School or --

21 A. Occasion -- on Thursday nights, the Bible study
22 and -- but I'd always start off with the Thursday nights
23 because of the free meal. And that's how they get you
24 in there. Well, that's how they get me in there.

25 Q. They're smart. Did you have a -- any position

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1 at the church prior to the shooting?

2 A. No, I would just -- My dad would -- we would --
3 have talks with me. And I would say, Okay, I'm going to
4 start going back. And that's how it would -- you know
5 what I mean? That's how it would go.

6 Q. Do you have any position at the church today?

7 A. I sing in the choir. I play an instrument.

8 Q. What instrument do you play?

9 A. The harmonica.

10 Q. Prior to the shooting, were you a member of any
11 support groups at the church?

12 A. No.

13 Q. After the shooting did you participate in
14 support groups at the church?

15 A. There would be, like, little meeting -- like,
16 town hall-type meeting -- support where all the -- where
17 it wasn't -- and the made sure it wasn't from the
18 church. They'd kind of make it a community thing where
19 people could be informed on what happened.

20 And there was some people that wants to
21 know the gory details of it and -- you know what I mean?
22 That type of -- and how different people are dealing
23 with what happened since then, not only the families of
24 the victims but the people who responded and walked into
25 that horror that they walked into.

1 I mean, that church was maybe double wide
2 of this and double length. So it's a small closed-in
3 area. And it's not tall like this. And this place is
4 packed with human beings praising the Lord, singing.
5 And a guy just starts unloading (tat-a-tat).

6 And these people are in a small community.
7 That's the part for the government I want y'all to
8 realize. This is a community so everybody one way or
9 another knows everybody or kin to somebody or married to
10 somebody's somebody.

11 And these responders are running in here
12 and pulling bodies -- you know what I mean -- trying
13 help the ones that can be helped. And -- but they're
14 seeing their friends, they're seeing loved ones, you
15 know, right beside them. And the responders, I mean, my
16 gosh, man, the -- the love and respect I have for them
17 to be able to do their job, to go in there in the --
18 during this massacre and still do their job.

19 Not -- and it's not just adults. These
20 are children. There's babies in there, you know, little
21 kids. And for the -- for that guy, for the -- whatever
22 hatred he had or what evil was in him to be able to
23 muster up, as a man, as a human being, I cannot
24 understand that kind of hate.

25 I don't have no -- to kill people that

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1 have nothing to do with nothing of your anger or
2 whatever you're mad at and can just see a child and
3 (sound). And there's nowhere to hide. There's nowhere.
4 There's no pew to get under. There's no bookcase to get
5 behind. You're just in it.

6 Q. These meetings that were held after the
7 shooting, that you attended, where were they held?

8 A. At the community center. And that was what the
9 conversations were about, that kind of thing where this
10 person would tell this story and this person and --
11 would break it down because this is what they saw and
12 how sorry they are for the victims' families. It was a
13 big cry fest. I mean, it was horrible. I sort of wish
14 I didn't go. It was worse than helping.

15 Q. How soon after the shooting did these meetings
16 start?

17 A. I really don't -- I don't know. Three months?
18 You know what I mean? Six -- One of them was around a
19 year later and stuff. You know what I mean? It's just
20 different times. I don't know who even put it together.

21 Our pastor was there, also, but he wasn't
22 going there as a pastor for us. He is also a victim of
23 family -- you know what I mean? His daughter was
24 killed, so -- and every -- that's his congregation. So
25 it was a community thing and I don't know if it was like

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1 a -- I don't want to say Red Cross, but a function like
2 that, something the -- that the State brings in so that
3 the people -- because there was a mediator.

4 And I -- But I don't remember who he
5 represented. Maybe he was part of that counseling group
6 that I went to -- you know what I mean -- as a mediator
7 so people could discuss things.

8 Q. And would it be the same mediator each time?

9 A. No, what -- because there was different faces.
10 You know what I mean? I mean, there was a man that
11 would do it and there was a lady that was there, so --
12 But I don't know if they were from the same group or
13 association?

14 Q. Do you recall any of their names?

15 A. No, sir, I didn't.

16 Q. And how many -- How often did these meetings
17 occur?

18 A. Just -- It was spontaneous. It was sparingly.
19 I would say -- I can't give you how far it was because
20 some I didn't go to, some I did. So I -- you know, I
21 might have missed some. I don't know if there was some
22 earlier because, like I told you, when it was earlier
23 going on, I withdrewed (sic). So when I was starting to
24 get more out there is when I would start attending these
25 group meetings.

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1 Q. And about how many meetings would you say you
2 went to?

3 A. Two. I've only been to two.

4 Q. Do you know when the most recent one was?

5 A. Around a -- around a year ago. Not -- I'd say
6 yeah, around a year ago.

7 Q. Did you attend that one?

8 A. Yes.

9 Q. And you said they were at a local community
10 center?

11 A. Yes, sir.

12 Q. Where is that community center?

13 A. It's adjacent of the church, right there in --
14 on the back streets of Sutherland Springs.

15 Q. And how large would these meetings be?

16 A. I don't know. 30 people. Some of them
17 probably was more. Maybe after you go to the first one
18 and you hear the horror stories, a lot of people
19 probably don't want to go to no more of them, you know.

20 Q. Who were some of the people that you recall
21 seeing at these meetings?

22 A. A lot of these people were -- some were church
23 members that went. But there's -- there's families,
24 there's extended families and stuff that were showing
25 up. And, you know what I mean, I don't know who they

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1 are or, you know's.

2 A lot of them are wanting some information
3 on what's going on and stuff like that. So I didn't
4 know everybody. I just recognized the ones that I knew
5 from the church.

6 Q. Are there any in particular that you recall?

7 A. On what's that, sir?

8 Q. That attend the meetings.

9 A. Well, Pastor Frank was there with his wife,
10 Julie Workman, Kip Workman was there. My sister Kati
11 went to one. There was some guys that were in the EMS
12 that was there. I don't know their names or stuff like
13 that. And I recognized them. There's some of the
14 people that was there, like I said, were extended
15 family, so I don't know. You know what I mean? A lot
16 of it, it was -- was -- the ones I recognized were
17 people that was from the church.

18 Q. You made reference earlier comparing the size
19 of the church to the size of this room. Just for the
20 record, how -- how large would you estimate this room
21 is?

22 A. I don't know. 40 by -- 40 x 30.

23 Q. Thank you.

24 A. Maybe even smaller.

25 Q. Turning to the day of shooting itself, were you

1 present at the church during the shooting?

2 A. No.

3 Q. How did you learn about the shooting?

4 A. I got a phone call from a secretary that is
5 from La Vernia Pump that Kip had called her, I guess, to
6 tell them to call me to let me know about the shooting
7 because I was in bed. And she told me that I need to
8 get up to the church; there had been an active shooter
9 and if my parents go to that church they could possibly
10 be a part of it.

11 Q. What did you do after you received that phone
12 call?

13 A. Got my clothes on and went up to there to the
14 community building because that's as close as you could
15 get.

16 Q. And what did you see when you got there?

17 A. Chaos, a lot of -- just a lot of people all
18 around, a lot of cops' cars, a lot of blocking off
19 roads, a lot of family members, people of the community.
20 They don't even have to be -- you know what I mean?
21 Didn't have actual family members that died and stuff.

22 But still in the community everybody was
23 there. A lot of reporters. A lot of helicopters going
24 over. A lot of sheriffs, the main sheriffs and, you
25 know, and the DPS and governor and stuff like that. I

1 don't know -- you know, I say governor.

2 Hold on. I can't remember if the governor
3 made it on that evening. I know somebody from the
4 capitol, state capitol came down, some -- you know what
5 I mean? Some -- some big -- some bigger wigs came down
6 for --

7 Q. Do you recall about how long after the shooting
8 it was that you got to the community center?

9 A. I guess within 15, 20 minutes.

10 Q. What happened next?

11 A. It was a waiting game. It was just a big
12 waiting game and praying, everybody getting together and
13 praying and clinging on to each other for information
14 about loved ones. Was it yours, was it mine, or did you
15 hear about this? And then there'd be rumors and people
16 -- you know what I mean -- false stories and stuff like
17 that. And it just a wait game. You just sat and wait.

18 Q. How long did you wait there at the community
19 center?

20 A. All day. I didn't go home till around 1:00,
21 2:00 o'clock that right.

22 Q. Did you go anyplace else that day between the
23 community center and going home?

24 A. Yes. They took us -- The family -- The people
25 that were family members that were missing that they

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1 don't have -- they didn't give no information on who was
2 alive, who was dead. And we went to the church on 539
3 further down the street.

4 And then that's when the state troopers
5 and stuff were there for the grief counseling. And they
6 would -- We sat in the church. And this is a horrible
7 feeling to find out if your family is dead or alive.
8 We're all sitting in the pews waiting on -- to be -- our
9 names called.

10 And then you had to do the walk of shame,
11 walk down this aisle. And you go into this room and
12 then they get the information and then all the people
13 can barely walk coming back. And you're waiting your
14 turn to -- you're waiting your turn for your name. It
15 was pretty tough.

16 Q. How far is the community center from the
17 church?

18 A. I don't know, five miles at the most. It's not
19 real far. Wait a minute. From the church that we went
20 to or to the church where the shooting happened?

21 Q. So I'm talking about on the day of the shooting
22 you couldn't get to the church itself because it was
23 blocked off. You said you waited in a community center?

24 A. Yes, sir.

25 Q. And how far was that?

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1 A. A couple of blocks. It was -- It's just a
2 couple of blocks away.

3 Q. And the church they took you to after that,
4 that was a different church?

5 A. Yes, sir.

6 Q. Okay.

7 A. I think it's called -- I want to say Lakeview
8 Church or something, Oak View Church, something like
9 that.

10 Q. And do you recall about what time it was that
11 they took you to this other church?

12 A. Yes, sir. It was -- it was late. I want to --
13 I want to say, like, 11:00, 10:00, 11:00 maybe.

14 Q. And prior to being taken to that other church,
15 you were -- you had just been waiting at that community
16 center?

17 A. Yes, sir.

18 Q. And how long were you at the other church?

19 A. Probably a couple of hours because they had
20 already been set up. They already knew who was all what
21 and so, it was just them getting all set up, getting
22 parking, getting all the families from over the
23 community center to that church.

24 And once they had all gotten settled in
25 and everybody was sitting in the pews, that's when they

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1 would start calling family-by-family. So, some families
2 were bigger than other families, so it would take longer
3 and...

4 Q. And after families had been notified, would
5 they return to the pews or would they leave the church?

6 A. Some of them would return. Some would -- not
7 just leave; they would go on wailing. Everybody's
8 wailing. You know what I mean? There's nothing but
9 grief and misery. Some would come back into the church
10 and hug other family members that are waiting because
11 everybody is waiting together.

12 And now that they got their information, I
13 guess, you know, I mean, they feel sorry for the other
14 family and they want to go and console them.

15 Q. Do you recall how long you were waiting in the
16 church before you were notified?

17 A. No, sir. I don't know the exact. Hour,
18 hour-and-a-half, something like that.

19 Q. And after you were notified, did you go home at
20 that point or did you go someplace else?

21 A. No, I went home after. After we all did our
22 grieving -- I say grieving -- we did our little initial
23 crying and hugging.

24 Q. Did you go to the hospital at any point?

25 A. No.

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1 Q. Did you go to the police station at any point?

2 A. No.

3 Q. Let's talk a little bit now about -- about
4 Dennis and Sara. And, again, if -- if you would like to
5 take a break at any time, please just let me know.

6 A. Okay.

7 Q. When was Dennis born?

8 A. [REDACTED] 40.

9 Q. And do you know where he was born?

10 A. [REDACTED], Illinois.

11 Q. And did you live with him your entire
12 childhood?

13 A. Not my -- I think there was a couple of years I
14 lived with -- I don't know how long; I was young. I
15 lived with my Uncle Freddie while my dad was grieving my
16 mother's death, and I stayed with my uncle for awhile.

17 Q. And where did your -- Where were your aunt and
18 uncle living when you stayed with them?

19 A. In Crescent City, Florida.

20 Q. And you were about four or five years old at
21 this time?

22 A. Yeah.

23 Q. And -- and you said you lived with them for a
24 couple of years?

25 A. I doubt it was years. It was probably -- you

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1 know, I don't know. I'll just say a year. And it could
2 have been six months or it could have been two months in
3 four-year-old time.

4 Q. And after that period of time you returned to
5 living with your father again?

6 A. Yes.

7 Q. What were some things that Dennis liked to do?

8 A. What did he like to do? He liked to woodwork,
9 watch TV. My dad was -- When we was growing up, my dad
10 was a worker. He would -- We didn't go out and play
11 ball and play catch like everybody else. Our bonding
12 time was working together.

13 So my dad wasn't into sports or nothing
14 like that, just westerns and watching TV and -- and
15 doing jobs around the house, you know what I mean, doing
16 the honey-do list. And as he got older is when he
17 started more into the woodwork, craft work and stuff.

18 Q. What did he do for work, for his employment?

19 A. He built greenhouse structures. He'd been a
20 catfisher and then he was the superintendent over there
21 in Continental. And my dad lost -- lost a job being a
22 superintendent at the Continental place because they --
23 the company wanted him to lie about a chemical that they
24 used on the trees and my dad would not go along with the
25 lie because of his integrity.

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1 But my dad, when he worked for this
2 company, they put him up in a house, they provided his
3 vehicle, they provided his health insurance, his salary,
4 his vacation and all that. And he would not -- he would
5 not lie for them, so he lost all of that.

6 So then he had to go get a regular job
7 just like everybody else. Get up at 7:00 in the morning
8 to go punch a time clock until whenever. And he's 50
9 years -- 50-something years old having to start all over
10 again. And that's when he started working at a metal
11 fabrication shop.

12 I don't know the name of it, but it's on
13 Rigsby there. But that tells you something about that
14 man right there, that he was willing to give up all that
15 for -- for what's right and what's wrong.

16 Q. Did he work at the metal fabrication shop until
17 he retired?

18 A. No, I -- I don't think so. I think he got too
19 -- it got too much on him. I -- Yeah, I know he retired
20 because he was in the Navy Reserve, the Army Reserve,
21 National Guard. That's what he retired on.

22 Q. Do you recall what other jobs he held between
23 the metal fabrication shop and retiring?

24 A. I want to say a security guard for the -- for
25 the police academy in San Antonio. I think he -- but I

1 -- it was -- I don't know what company it was, but I do
2 know he became -- like, that was easier on him in his
3 later years -- you know what I mean -- being a security
4 guard.

5 Q. The Continental job, was that the job that he
6 moved to Floresville for?

7 A. Yes.

8 Q. Okay. So you mentioned that Dennis liked to
9 woodwork, he liked to watch TV. When he would do his
10 woodworking, would you do that with him, as well? You
11 liked it, too?

12 A. Yes, yes.

13 Q. How about watching TV, did you like to do that?

14 A. Yeah. We did all -- I mean, that's -- the
15 working around the yard, mowing, doing landscaping with
16 him around his yard, his honey-do list. He became
17 supervisor and -- you know what I mean? I wouldn't
18 measure it like that, I'd do it this way or that way.

19 And that was -- that was my rub on the
20 head. You know what I mean? That was my -- I guess my
21 hug or -- I mean, because until my dad got older into
22 his late 60s and 70s, there was -- wasn't a lot of "I
23 love you's."

24 Yeah, I mean, it didn't -- it just wasn't
25 the way he was raised. You know what I mean? He was

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1 raised in a different type of environment. But as he
2 got older, the more the "I love you's" and stuff come
3 out, you know.

4 Q. How -- how far did you live from Dennis?

5 A. I lived on one end of -- I don't know, about 15
6 minutes.

7 Q. Okay. And how often would you say that you saw
8 him?

9 A. At least once every two weeks. Sometimes it
10 was almost every day just according to what we're doing
11 at the time and -- or whether or not I'm going to
12 church, I'm on the church wagon. You know what I mean?

13 Q. Did you talk to him often on the phone or just
14 --

15 A. Mainly visits. And We would talk and Daddy
16 would stop by and -- and talk with me. My Dad, nothing
17 but advice. You know what I mean? There wasn't a lot
18 of chit chat and jokes. I mean, when my dad came over
19 -- and like right now with me being my weight, he'd be
20 eating me alive.

21 Q. Did Dennis have any illnesses or medical
22 conditions?

23 A. Well, I believe he -- I know he had high blood
24 pressure and things just of old. You know what I mean?
25 Older guy stuff. I don't know -- They was talking about

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1 the very beginnings of dementia but it hadn't -- where
2 you could tell that he had dementia.

3 Just little things. I mean, he would get
4 aggravated because he couldn't think of one word or
5 something like that. You know what I mean? That kind
6 of thing. It hadn't set in to where it was -- thank God
7 -- full blown, you know.

8 Q. Do you know how long he'd had high blood
9 pressure?

10 A. Ain't no telling, buddy. I don't -- My dad
11 didn't discuss that kind of stuff.

12 Q. Do you know if he was taking any medications?

13 A. Probably. Yeah, I'm sure for the high blood
14 pressure and stuff. I mean, whatever. He'd go to the
15 chiropractor and he would go to the doctors.

16 Q. Do you know which doctors?

17 A. I don't know their name.

18 Q. Do you know if he ever had any surgeries?

19 A. I want to say a hernia, but that was when he
20 was younger. I know he hurt his back one time when we
21 was younger. Surgery-wise, if it is, it's little -- it
22 was little things. I don't -- nothing major.

23 Q. Did he smoke?

24 A. No. Well, he used to until he found the Lord.

25 Q. So he stopped a long --

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1 A. Cold turkey. The man was -- that's it.

2 Q. Okay. Like, 30 years ago? How long ago --

3 A. I couldn't -- I'd be giving you a --

4 Q. Did Dennis provide you with any financial
5 support while he was living?

6 A. Yeah, but not a lot. He'd get me out of a bind
7 because that's how my daddy was. My daddy was, I'll
8 help you out of this, but you got -- you know what I
9 mean? My dad was a handshake kind of guy. I'm going to
10 do this for you, you know what I mean, because I love
11 you, son, but we ain't got a lot of money ourselves.
12 But he would help the way he could help.

13 Q. And how often would you say that would happen?

14 A. For me -- thank God -- not a lot.

15 Q. And when you say get you out of bind, can you
16 elaborate on that?

17 A. Oh, I'd be on a layoff. You know what I mean?
18 One of my layoffs or something and I can't pay and we're
19 all stressed out and -- and he's trying to get me going
20 back to church, that type of thing. And my dad would
21 help me then.

22 Q. Any idea how much support he might provide in
23 those situations?

24 A. Couple hundred bucks. It wasn't no thousands.
25 It was enough to get you by.

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1 Q. And had that happened in recent years?

2 A. Let me see. Not within the last part. See, I
3 prided myself to not depend on my parents. A lot of
4 this stuff when I needed help, I wouldn't go to them and
5 ask for help. And if you notice, my children, I raised.

6 I raised my children because that was the
7 thing that I wanted to prove to him that he taught me
8 you take care of your own, you don't depend on somebody
9 else. Fortunately for me, I never was in a situation
10 where I -- where I needed them to take over for my --
11 for me -- you know what I mean -- help me with my kids.

12 So I tried to pride myself as, You don't
13 have to worry about -- I'll take care of my own stuff.
14 You know what I mean? So when I say he helped me with
15 money, it wasn't like he -- you know what I mean --
16 always constantly paying my bills.

17 But when things were tight and I paid my
18 bills after the unemployment check comes, he'd give me a
19 couple hundred bucks to get some groceries. You know
20 what I mean? Stuff to feed the -- you know, that kind
21 of thing.

22 Q. Is there anything you haven't said about your
23 relationship with Dennis that you'd like to add?

24 A. Yeah. Yes, I would. That I respected that man
25 and I did not realize how much that I loved him. I

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1 didn't realize how much I was going to miss him and
2 miss all of his wisdom and all of his advice. And I
3 just miss my dad.

4 Q. Let's talk a little bit about Sara. When was
5 Sara born?

6 A. I know she was born in [REDACTED] and her
7 birthday was here recently. I want to say [REDACTED]. I
8 don't know what year. I don't know what year she was
9 born.

10 Q. Can you give me just like a --

11 A. 60 -- I -- 50s, in the 50s. 54 maybe.

12 Q. All right. Do you know where she was born?

13 A. I believe [REDACTED], Florida.

14 Q. Okay. And how old would you have been when you
15 first met Sara?

16 A. My mom was still alive, I guess. So I guess I
17 was around -- I don't know the youngest it would have
18 been, so I guess when I was an infant. She -- she knew
19 -- her and my -- Sara knew each other. So I don't --
20 for me -- for me first remembering her, I was probably
21 three, something like that.

22 Q. And how did -- how did your mom and Sara know
23 each other?

24 A. They worked.

25 Q. Worked together?

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1 A. They worked in the same place.

2 Q. And how old did you say you were when your
3 father and Sara got married?

4 A. Probably five. I don't know. Five or six. I
5 don't -- It was all right in there. Let's see. Because
6 I went -- I was in first grade, so however you are.
7 Five years old probably.

8 Q. And after Sara and your father got married, did
9 you live with them for the rest of your childhood?

10 A. Yes.

11 Q. Were there any other breaks when you weren't
12 living with them?

13 A. Nope.

14 Q. Did Sara adopt you at any point?

15 A. No, no. I don't think it was ever asked
16 because I think it was mainly -- I know my stepbrother
17 and my stepsister because they carry the -- with having
18 the Johnson name.

19 Q. What did Sara like to do? What were her -- her
20 hobbies?

21 A. Crafts. She loved flea markets. She loved
22 yard sales. But mainly crafts. She would build jewelry
23 and she loved going to little retreats with her friend
24 Brenda.

25 Q. And did you do these crafts with her, as well

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1 or did it tend to be something that she would do?

2 A. I'm not doing jewelry.

3 Q. You're not a crafty guy?

4 A. No.

5 Q. Were there things that you and Sara liked to do
6 together?

7 A. Our relationship wasn't as -- wasn't like that.
8 She was my stepmother and I was her stepson. And I
9 don't know if that's the nicest way to put it, because I
10 don't want to brow beat her. You know what I mean? I
11 don't want to disrespect her -- disrespect her life, but
12 we had our issues.

13 Q. And did those issues continue throughout your
14 whole life?

15 A. Oh, yeah. Yeah. Well, you got a kid that his
16 mother died and he got everything he wanted by everybody
17 trying to coddle me. You know what I mean? As a
18 little, spoiled brat running around in a bar because
19 that's what -- my grandfather owned a bar and we lived
20 upstairs on -- over the bar.

21 So who all -- the bar people that went
22 there was, Honey Buns and Tootsie Rolls and, you know,
23 sodas and whatever I wanted. And then my dad moves in
24 with Sara and I go with -- I go with him to there. And
25 I've got a potty mouth, I'm disrespectful. It's all

1 about me. And so, she was trying to get my mind right
2 type deal.

3 Q. So how you describe your relationship with
4 Sara?

5 A. Just -- I respected her and I hope she
6 respected me at the end, but it was pretty volatile at
7 the younger years. And the older years, I mean, you
8 grow up and no need fighting over the same stuff. You
9 know what I mean? I mean, I had anger issues still with
10 her, but as an adult now I understand.

11 I was more of a rebellious as a kid and
12 the child's way of thinking than an adult's way of
13 thinking. So I lost that opportunity to mend our -- our
14 relationship, I guess. It was cordial. How's that.

15 Q. How often would you say you saw Sara?

16 A. As much as I saw Daddy.

17 Q. So when you would see your dad, you would see
18 Sara, as well?

19 A. Yeah.

20 Q. Did Sara have any illnesses or medical
21 conditions before her death?

22 A. Not that I know of. She'd get migraines, but I
23 don't really think -- I don't -- I think maybe -- I
24 don't know if she had sugar problems or -- See, this is
25 more my sister's avenue of questioning. You need to ask

1 her. I -- you know what I mean? I'm just over the raw
2 edges.

3 Q. When you say sugar problems, what does -- what
4 does that mean?

5 A. I think she had some diabetes. I don't know
6 how severe or --

7 Q. How would you describe her health?

8 A. It was -- She was in good health. She was in
9 great health.

10 Q. Do you know if she was taking any medications?

11 A. I'm sure she was. I'm -- I'm assuming. You
12 know what I mean?

13 Q. Okay.

14 A. I'm sure she had some kind of medications she
15 had to take.

16 Q. Do you know if she was seeing any -- any
17 doctor?

18 A. A chiropractic I know and a -- and I'm sure
19 both of them. They were at that age where -- My dad had
20 good insurance. He retired from the government, you
21 know what I mean? So they didn't have a problem being
22 able to go to the doctor and find out when there was a
23 problem -- issue.

24 Q. Do you know if she, like, took insulin for --

25 A. I don't think -- I don't think so. But like I

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1 said, these are the kinds of questions for my sister.

2 Q. Do you know if she smoked?

3 A. She used to before she started going to church.

4 Q. So she quit?

5 A. She quit, also.

6 Q. Do you know if she had any history of heart
7 disease?

8 A. I used to think so. No, just kidding.

9 Q. Any history of high blood pressure that you
10 know of?

11 A. Maybe -- maybe some. I'm not 100 percent sure,
12 but --

13 Q. So we talked about the financial support that
14 Dennis provided to you while he was living. Did Sara
15 provide you any financial support apart from what Dennis
16 provided you?

17 A. No. But I would never -- I would never go to
18 her and ask for it, either.

19 Q. Okay. Is there anything you haven't said about
20 your relationship with Sara that you'd like to add?

21 A. No.

22 Q. Okay. Did you suffer any physical injuries
23 from the shooting?

24 A. Physical, no.

25 Q. After the shooting, you experienced grief. You

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1 talked about that. You talked about how you -- how you
2 dealt with it. In terms of your meetings with Shary,
3 you said that you met with her for about eight months,
4 correct? Why did you stop meeting with her?

5 A. Because I -- I used the church. I used the
6 church and my relationship with Christ and his grace and
7 forgiveness. And that's what I've been using.

8 Q. Have you talked with others about your grief?

9 A. Just guys in -- and the people in the church,
10 yes.

11 Q. Okay. How are you currently dealing with your
12 grief today?

13 A. I'm dealing with it by -- like, my activeness
14 in the church. And I don't -- I don't need to
15 self-medicate. I have the Lord now to go to. I've got
16 something -- I've got people to talk to. I've got a
17 family and extended family in my church. And that's how
18 I deal with it.

19 Q. Did you see any other counselors other than
20 Shary?

21 A. No.

22 Q. The group that met at the community center
23 after the shooting, you said you went on two occasions;
24 is that right?

25 A. Yes.

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1 Q. Have there been any other support groups that
2 you've gone to?

3 A. Not that I know of.

4 Q. Okay. Since the shooting.

5 A. Like I said, when I withdraw from everybody
6 there for a while. So there might have been some going
7 on, but I didn't -- I wasn't attending them.

8 Q. Did you begin seeing any doctors after the
9 shooting?

10 A. (Witness shakes head left and right.)

11 Q. Did you begin taking any medication after the
12 shooting?

13 A. No.

14 Q. How is your sleeping?

15 A. Well, I would say good, but I don't know. You
16 know, I'm not a doctor, so...

17 Q. Has it changed significantly since the
18 shooting?

19 A. Yes. I sleep more.

20 Q. You sleep more since the shooting?

21 A. Yes, a lot more.

22 Q. Are you able to sleep through the night?

23 A. No, not all the time. But I don't know if
24 that's due to age because I have to get up and use the
25 bathroom a lot.

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1 Q. Did you say you've made any changes to your
2 life since the shooting? We've talked about your --
3 your religious impacts. Have you made other changes to
4 your life since the shooting?

5 A. Yeah, I'm alcohol free. I'm drug free. So
6 that's been major-major for me, major changes. I love
7 my daughters more. You know what I mean? I want to
8 make sure that they know I love them.

9 Q. How long after the shooting would you say you
10 self-medicated for?

11 A. Probably there -- probably about six months. I
12 was already -- like I said, I already had depression
13 before then and I was already self-medicating before all
14 that happened. So afterwards when I started talking to
15 Shary, I had just -- like I said, when I hit the wall.
16 So I don't know, about six months but with that -- six
17 months was hard, six month of self-medicating.

18 Q. How long before the shooting would you say
19 you've had depression?

20 A. I think my whole life, really.

21 Q. Is there anything that you used to do before
22 the shooting that you don't do anymore?

23 A. I don't go into a room and not check the exits.
24 That's for one thing I don't do. And when I do go to
25 church, I -- I'm always looking at people more

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1 thoroughly just to see if they have any hints or -- of
2 tell-tale signs that there's something funny about this
3 person. I don't sit to my back in a restaurant. It's
4 -- I mean, all that stuff. I realize that there are
5 idiots out there. So I've lost my nonchalance about
6 just living. You know what I mean?

7 Q. Did you suffer any financial consequences from
8 the shooting?

9 A. Yeah. Well, I'm not saying hardcore. It's
10 just like I told you. I went through the depression and
11 there was, like, two months I didn't work. And I
12 couldn't get out of bed at that time.

13 Q. During those two months?

14 A. (Moves head up and down.)

15 Q. Were there other financial consequences that
16 you suffered from the shooting?

17 A. Well, other than the burial and stuff of my
18 family and, you know, helping my brother out, helping --
19 helping my family out. But we were having to -- not --
20 it's nothing major even to talk about. You know what I
21 mean? No, I've not financially suffered because of my
22 parents dying.

23 Q. But you did help out with some other family
24 members?

25 A. Yeah.

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1 Q. Are there any other impacts the shooting has
2 had on you that we haven't talk about yet?

3 A. No, sir.

4 Q. Are there any -- are there any psychological
5 effects we haven't --

6 A. I don't know. It's still more to come. Grief
7 continues.

8 Q. I'm going to change topics here a little bit.
9 Do you own any weapons?

10 A. No.

11 Q. Have you ever owned any weapons?

12 A. Yes.

13 Q. What were they?

14 A. One was a 0.380 pistol, one was a 12-gauge
15 shotgun, one was a 30-30.

16 Q. Okay. And how did you acquire them?

17 A. I was real young when I had the shotgun. And
18 the 30-30, it was before I went into the service. I
19 just bought them. A guy at work had one and I paid --
20 but I don't think the gun laws were back then. You know
21 what I mean? That's a long time ago. Now, the 30 -- I
22 mean, the 0.380 I had to go over-the-counter and do my
23 -- give the report.

24 Q. The shotgun and the 30-30, about how long ago
25 did you get those?

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1 A. I was 18. So I'm 52. I don't know, say
2 30-something years.

3 Q. And you don't have them anymore?

4 A. No, I don't own no weapons.

5 Q. How long ago would you say you sold or no
6 longer --

7 A. I never sold them. I never sold them. The two
8 rifles -- the shotgun and the rifle I had, I gave it to
9 a friend to hold for me and never got them back. And
10 then, to tell you the truth, I think I might -- I don't
11 know what happened to the pistol. I really don't know
12 over the years.

13 Q. And when about did you acquire the pistol?

14 A. Probably around '91, '92, somewhere around
15 there.

16 Q. And for what purpose did you acquire each of
17 the firearms?

18 A. Well, hunting was the first two.

19 Q. The shotgun and the rifle?

20 A. And the 30-30, yes. And the 0.380 was just for
21 protection.

22 Q. And you mentioned the service. You served in
23 the military for a period of time?

24 A. Yes.

25 Q. For how long?

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1 A. For two and half years.

2 Q. Which branch were you in?

3 A. The Navy.

4 Q. Why did you decide to leave?

5 A. I didn't decide to leave. They decided for me
6 to leave.

7 Q. Was there anything particular that happened?

8 A. Yeah. It was drug use once again. But I'm
9 going to tell you that, but I'm going to tell you that
10 and tell you this. I was -- just got plane captain of
11 the month. Plane captain of the IO crews. I loved the
12 Navy. I mean, I was head over heels.

13 I just got in with a bad group and did a
14 stupid one -- it was a stupid thing. It was the first
15 time I ever even did a drug. And we got caught with the
16 stuff on us. And it wasn't even me. It was the other
17 guy's stuff.

18 I just happened to have it on me when we
19 got caught. But I was so ashamed. I was so ashamed. I
20 was so humiliated because my dad -- you know what I
21 mean? I was bragging. I felt good, like they were so
22 proud of me. And my dad happened to be on one of his
23 two weeks. And he was in California.

24 And when they -- when they kicked me out I
25 had to go and be discharged out of California. And I

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1 rode back with my dad and I was so embarrassed,
2 humiliated in front of my father. And he put his hand
3 on my knee in the plane & said, Son, don't worry about
4 it, we all make mistakes. And it was like, you know, I
5 mean, it was just unbelievable the pressure he took off
6 of me right then.

7 Q. How old were you at this time?

8 A. I was 20.

9 Q. And what was the substance?

10 A. Methamphetamine.

11 Q. And was there any sort of a court martial
12 involved?

13 A. Oh, yeah. But it was -- I got an OTH. I got
14 other than honorable. I didn't get a dishonorable, I
15 guess because I was "4 0 Sailor", went to -- to -- from
16 "4 0" to zero just like that. I had a no nonsense
17 supervisor and captain of our air wing and he didn't --
18 he didn't put up with it.

19 Q. Was there a trial that happened or was it like
20 a plea situation?

21 A. Well, yeah. I mean, I didn't go in front -- I
22 just went in front of him. I -- Once I pleaded out that
23 I was guilty of -- of the use -- of drug use, after that
24 it didn't take him long to get me out of his sight.

25 Q. And when you say 4 R -- "4 0 sailor," what is

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1 --

2 A. I had a perfect score. I had a perfect rating.
3 I was winning awards. Oh, my gosh. Funny how it don't
4 take the world. You can trip your own self up.

5 Q. And after your discharge, did you continue to
6 use drugs?

7 A. Yes. No, it wasn't -- it ain't all the time,
8 either. It wasn't all the time. And I think that's
9 where I -- when I told you I think I've had depression
10 my -- I've always -- I've always went to alcohol and
11 drugs when -- when things got bad.

12 I would -- I would always turn to that
13 until I would get over what I was getting over, I guess.
14 It was never -- it was never a lifestyle for me. I was
15 a functioning addict, an alcoholic-type deal. Well, you
16 would never know it, but it was my own personal little
17 -- little sin.

18 I didn't -- wasn't no big parties. I
19 wasn't into the -- like I said, the lifestyle, selling
20 it and being around everybody that did it. I just got
21 it and went in my own little -- my own little way. And
22 I pray that that's over with in my life now.

23 Q. How long have you been drug free?

24 A. Two years.

25 Q. And remind me, did you say Dennis, your father,

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1 had been an alcoholic, as well?

2 A. Uh-huh.

3 Q. Do you know when he -- how long he had been
4 alcohol free?

5 A. How long had he? He -- the same time he quit
6 smoke.

7 Q. Okay.

8 A. That was Sara's little ultimatum and plus the
9 Lord.

10 Q. Have you ever been convicted of a crime?

11 A. Yes. Now, this right here, this was apart. I
12 had just got a pay raise. We went and we -- I -- and it
13 was an a Wednesday. We got paid on Thursdays. We had
14 enough money between me and ex brother-in-law to buy a
15 six-pack of beer. I drank three beers.

16 He drank three beers. And I was out of
17 Copenhagen and I had to borrow \$10 from his mother to go
18 to the store to get a can of Copenhagen. When we was
19 coming back -- now you got to remember I'm -- I'm a
20 drinker. At that time I could drink three beers as
21 nothing.

22 But in Texas law 0.0 -- I mean 0.08, it
23 don't take nothing. You can drink just one beer and
24 you're -- you're drunk, you're Texas drunk. We was
25 coming back from the store and a lady pulled out in

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1 front of me and I T-boned her and she died. But she was
2 the cause of the wreck.

3 It wasn't like I ran a red light or I
4 swerved or -- She pulled out in front of me. And -- but
5 since I had alcohol in my system, I drew the ace in the
6 hand and got the charge. And I had -- I had to go to
7 jail for 60 days and I had probation for ten years.

8 It was a deferred judification (sic) type
9 thing. So after that I did my -- I did my time. You
10 know what I mean? I did my -- and the reason they
11 didn't throw me in prison was because I didn't have no
12 priors before that and plus I didn't cause -- I wasn't
13 the cause of the wreck.

14 Q. What was the crime that you were actually
15 convicted of?

16 A. Intoxication manslaughter.

17 Q. And what year was that?

18 A. Man, I want to give you a date, but I don't
19 want y'all to go look it up to go look at the record and
20 it's the wrong date. I don't -- I don't know. I want
21 to say '97, '98, somewhere around in there.

22 Q. Okay. Have you ever been convicted of any
23 other crimes?

24 A. (Moves head side to side.)

25 Q. Have you ever filed for bankruptcy?

1 A. No.

2 Q. Okay. Let me go take a five or ten-minute
3 break.

4 (Off the record.)

5 Q. (BY MR. BATES) Mr. Johnson, just a few final
6 questions for you.

7 A. Okay.

8 Q. I just want to make sure that I understood
9 correctly. Did you say that when you were caught with
10 drugs when you were in the Navy that that was the first
11 time you had done drugs?

12 A. Yes.

13 Q. And after the shooting when you were, as you
14 said, self medicating, that did include drug use, as
15 well?

16 A. Uh-huh.

17 Q. And what drugs?

18 A. Methamphetamine.

19 Q. I think you may have mentioned at some point
20 collecting unemployment; is that correct?

21 A. Yes.

22 Q. When were you collecting unemployment?

23 A. A bunch. Since -- When you're in the Union,
24 when there's no -- when they lay you off, you collect
25 unemployment until you get back on. So I couldn't give

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1 you a certain date. There could be two or three times a
2 year that -- you know what I mean -- every year that I
3 was on unemployment. So there's not a certain date for
4 that.

5 Q. Okay. And are -- Can you give me an estimate
6 of how many times you may have been on unemployment?

7 A. Every time a job would end, man. I mean, I'm
8 sorry. I'm not trying to be -- but I -- I just --
9 through my whole career -- how is that -- I was on
10 unemployment.

11 Q. When would the last time have been that you
12 were on unemployment?

13 A. Okay. 2010, maybe, 2- -- something like that.

14 Q. Do you know if it was through the state or
15 through the federal government?

16 A. Federal government.

17 Q. And about how much would you have received in
18 unemployment during these times?

19 A. It's -- I was receiving \$700 every two weeks,
20 seven and some change.

21 Q. When you were growing up, were there ever any
22 alcohol-related incidents in your home?

23 A. From me?

24 Q. From you or from your father.

25 A. I'm sure there was. I mean, I'm sure there

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1 was. I mean, when there's alcohol involved, there's
2 always an incident some -- somewhere.

3 Q. Any one in particular that you recall?

4 A. No, other than coming home drunk and I told you
5 not to drink no more. You know, that -- that type of
6 incident. Not -- It wasn't no abuse, if that's what you
7 mean. No.

8 Q. Can you describe your brother/nephew
9 Christopher's relationship with Sara and Dennis?

10 A. Well, at first it was -- Well, he's their
11 little baby, so that's how -- it's like their second
12 time around when Michael grew up with him. So it was
13 great relationship. I mean -- And then he went through
14 his problems.

15 And when he went through his problems,
16 even though he would be stealing or whatever to support
17 his little drug habit-type thing, it might be Daddy was
18 disappointed. But he never -- he never, like, you're
19 banned from being here.

20 You know what I mean? It was always --
21 It's always been a loving relationship. Now, the -- the
22 pull-away was always from Chris. It was never from my
23 parents. You know what I'm saying.

24 Q. What do you mean by that, the pull-away?

25 A. The pull-away, being young and rebellious. It

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1 was always from his point of wanting to do what he
2 wanted to do and not following the rules-type deal. So
3 that would be -- that would be -- but their love was
4 always there. And still -- you know what I mean -- Sara
5 would drive and go visit in the prison and -- while he
6 was there.

7 Q. In the three or four months before the
8 shooting, how would you describe the relationship?

9 A. Of them?

10 Q. Yeah.

11 A. I don't know. Whatever he said. I don't know
12 because I wasn't -- you know what I mean -- around there
13 at all.

14 Q. How would you describe Deanna's relationship
15 with Sara and Dennis?

16 A. Great. They had a great relationship. They
17 had a great relationship. They -- Well, you'll meet her
18 here shortly tomorrow, I guess. She's a better talker
19 than the rest of us.

20 Q. And how about Jimmy Graham, how would you
21 describe his relationship with Sara?

22 A. Phone relationship. They're mainly a phone
23 because he's in Florida. But they -- they talked to
24 each other all the time on the phone. When we was
25 younger -- you know what I mean -- it was hostile. Just

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1 same as me. It was just, You either going to follow the
2 rules or you're not.

3 You know what I mean? It was a parent's
4 job and -- and what we would do was -- is run away. Or
5 he had the ability to move in with his father, so he
6 moved in with his father instead of following the rules
7 type thing. You know what I mean.

8 Q. How old was Deanna when Sara and Dennis got
9 married?

10 A. Two, maybe, two.

11 Q. How about how old was Jimmy?

12 A. Jimmy is a year older than me, so he might have
13 been six or seven.

14 Q. Okay. And Jimmy for a period of time had a
15 hostile relationship with Sara and Dennis?

16 A. Now, when I say hostile, I don't mean it
17 violent. I mean it was a parent trying to make a kid
18 mind in the '80s and 70s. Discipline was a little
19 different back then when we was growing up. It's
20 Southern Baptist discipline, okay? That's what I'm
21 saying. That discipline is a little different than
22 discipline of today. So when I say it was volatile, it
23 was because you had to pay for your crime.

24 Q. And in the year or so before the shooting, how
25 would you describe the relationship?

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1 A. I couldn't tell you because that'd be their
2 phone conversations.

3 Q. Do you know how often Jimmy would come to
4 visit?

5 A. No. He would come every once in awhile. It
6 wasn't a lot. I tell you the last time I know that he
7 came was when I was in the car wreck because I was
8 wasn't guaranteed to live.

9 Q. And that was '97 or '98?

10 A. Yeah.

11 Q. Do you know did Sara and Dennis ever go to
12 visit Jimmy?

13 A. When we'd go to Florida. When my Uncle Freddie
14 died -- I think it was like 2008, '9, somewhere around
15 in there -- my Uncle Freddie passed away. And me and my
16 dad drove to Florida and we visited Jimmy. Because
17 we're -- we're not a rich family, so there's not a lot
18 -- when we got distance, the distance is real, you know,
19 it's not because we don't want to visit more or -- a lot
20 of it is we can't afford to visit more.

21 Q. Do you know if Sara and Dennis went to visit
22 Jimmy after your Uncle Freddie's passing?

23 A. I don't know. I really don't know. I'm sure
24 -- because when they would go to Florida and visit, I
25 don't know if they would see Jimmy or -- because that

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1 was their visit. You know what I mean? That was their
2 life. I never -- we -- I never was in their business
3 and stuff like that. It wasn't that kind of a
4 relationship.

5 Q. Mr. Johnson, is there anything I haven't asked
6 you today that you think is very important that I should
7 have asked you?

8 A. No, sir.

9 Q. Have you understand -- Have you understood my
10 question today?

11 A. Yes, sir.

12 Q. Thank you, Mr. Johnson.

13 MR. BATES: I'll pass the witness.

14 MR. JACOB: No questions at this time.

15 (Deposition Concluded.)

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1 CHANGES AND SIGNATURE

2 WITNESS: DENNIS JOHNSON, JR. DEPO DATE: MARCH 2, 2020

3 PAGE LINE CHANGE REASON

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18

19 I, DENNIS JOHNSON, JR., have read the foregoing

20 deposition and hereby affix my signature that same is

21 true and correct, except as noted above.

22

23

24

25

DENNIS JOHNSON, JR.

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1 THE STATE OF TEXAS)

2
3 COUNTY OF _____)

4 Before me, _____, on this day
5 personally appeared DENNIS JOHNSON, JR., known to me (or
6 proved to me under oath or through _____)
7 (description or identity card or other document) to be
8 the person whose name is subscribed to the foregoing
9 instrument and acknowledged to me that they executed the
10 same for the purposes and consideration therein
11 expressed.

12 Given under my hand and seal of office this
13 _____ day of _____, 2020.

14

15

16

17

18

19 _____
NOTARY PUBLIC IN AND FOR
20 THE STATE OF TEXAS

21

22

23

24 * * * * *

25

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Balt. & Annap. 410-974-0947

1 UNITED STATES DISTRICT COURT
 2 WESTERN DISTRICT OF TEXAS
 3 SAN ANTONIO DIVISION
 4
 5 Kati Wall, Michael Johnson, §
 6 Individually and as Personal§
 7 Representatives of The §
 8 Estate of Dennis Johnson and§
 9 the Estate of Sara Johnson, §
 10 and Dennis Johnson Jr., §
 11 Christopher Johnson, Deanna §
 12 Staton, and James Graham §
 13 § SA-18-CV-00951
 14 § Consolidated in
 15 § Civil Action
 16 VS. § NO. SA-18-CV-00555-XR§
 17 §
 18 UNITED STATES OF AMERICA §

12 CERTIFICATE FROM THE
 13 ORAL DEPOSITION OF DENNIS JOHNSON, JR.
 14
 15 MARCH 2, 2020

16 I, ROXANNE BARRY, a Certified Shorthand
 17 Reporter in and for the State of Texas, do hereby
 18 certify that the foregoing deposition is a full, true
 19 and correct transcript;

20 That the foregoing deposition of DENNIS
 21 JOHNSON, JR., the Witness hereinbefore named, was at the
 22 time named, taken by me in stenograph, on March 2, 2020,
 23 the said Witness having been by me first duly cautioned
 24 and sworn to tell the truth, the whole truth, and
 25 nothing but the truth, and the same were thereafter

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1 reduced to typewriting by me or under my direction. The
2 charge for the completed deposition is \$_____ due
3 from MR. CHRISTOPHER A. BATES (Defendant);

4 That the amount of time used by each party at
5 the deposition is as follows:

6 MR. CHRISTOPHER A. BATES- 1HR:52MINS
7 MR. TOM JACOB- 00:00

8 I further certify that before the completion of
9 the deposition, the Deponent and/or the
10 Plaintiff/Defendant () did () did not request to
11 review the transcript.

12 That this deposition transcript was sent to the Witness
13 on _____ for review and signature,
14 and that pursuant to the Federal Rules of Civil
15 Procedure, review and signature of the Witness must be
16 completed within 30 days of the Witnesses' receipt
17 thereof;

18 Certified to by me this ____ day of _____,
19 2020.

20
21 

22 ROXANNE BARRY, Texas CSR 5831
23 Expiration Date: 04/30/22
24 Free State Reporting, Inc.
25 1378 Cape St. Claire Rd.
Annapolis, MD 21409

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United States District Court
Western District of Texas
San Antonio Division

Kati Wall, Michael Johnson, Individually and
as Personal Representatives of The Estate of
Dennis Johnson and the Estate of Sara
Johnson, and Dennis Johnson Jr., Christopher
Johnson, Deanna Staton, and James Graham,
Plaintiffs,

v.

United States of America,
Defendant.

Civil Action No. SA-18-CV-00951
Consolidated in Civil Action
No. SA-18-cv-00555-XR

Notice of Oral Deposition of Witness Dennis Johnson, Jr. with Duces Tecum

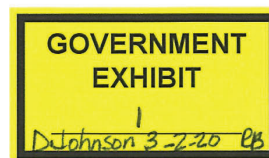
TO: Plaintiffs Kati Wall, Michael Johnson, Individually and as Personal Representatives of The Estate of Dennis Johnson and the Estate of Sara Johnson, and Dennis Johnson Jr., Christopher Johnson, Deanna Staton, and James Graham, by and through their attorneys of record: Jamal K. Alsaffar, Laurie Higginbotham, Tom Jacob, Koby Kirkland, Whitehurst, Harkness, Brees, Cheng, Alsaffar, Higginbotham & Jacob, P.L.L.C., 7500 Rialto Blvd, Bldg. Two, Ste. 250, Austin, TX 78735.

PLEASE TAKE NOTICE that the United States of America, Defendant herein, will take the deposition upon oral examination of Plaintiff **Dennis Johnson, Jr.** on **March 2, 2020**, at **2:00 p.m.** at the **Wilson County Courthouse, 1420 Third St., Floresville, Texas 78114**, under Rule 30, Federal Rules of Civil Procedure.

This deposition will be taken by stenographic means by Free State Reporting, Inc. 1378 Cape St. Claire Road, Annapolis, MD 21409, Telephone number (800) 231-8973

You will also take notice that the Plaintiff is requested to produce at the time and place of this deposition, and to permit the inspection and copying, of any and all documents described in the attached Exhibit "A".

[Signature Page Follows]



Notice of Oral Deposition of Plaintiff

1

Respectfully submitted,

John F. Bash
United States Attorney

By: /s/ James E. Dingivan

James E. Dingivan
Assistant United States Attorney
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601 N.W. Loop 410, Suite 600
San Antonio, Texas 78216
(210) 384-7372 (phone)
(210) 384-7312 (fax)
james.dingivan@usdoj.gov

Certificate of Service

I do hereby certify that a true and correct copy of the above and foregoing was served by e-mail transmission on February 25, 2020, addressed to:

Jamal K. Alsaffar (jalsaffar@nationaltriallaw.com)
Tom Jacob (tjacob@nationaltriallaw.com)

I also certify that a true and correct copy of the above and foregoing was served by certified mail, return receipt requested, on February 25, 2020, to the following:

Jamal K. Alsaffar
Laurie Higginbotham
Tom Jacob
Koby Kirkland
Whitehurst, Harkness, Brees, Cheng, Alsaffar, Higginbotham & Jacob, P.L.L.C.
7500 Rialto Blvd, Bldg. Two, Ste. 250
Austin, TX 78735

/s/ James E. Dingivan

James E. Dingivan
Assistant United States Attorney

Exhibit "A"

The witness is directed to bring to the deposition the following materials:

1. Any and all of your non-privileged records, personal notes, calendars, diaries, phone logs and other type of documents, including social media posts, concerning any fact or opinion in relation to this lawsuit.
2. Any and all medical records in your actual or constructive possession that have not been produced to date. This would include treatment for physical conditions and any mental anguish claims forming the basis of this lawsuit.
3. Any and all medical expenses that remain outstanding and/or that you have paid for and were not reimbursed.
4. Any documents to support loss of earnings or earning capacity.
5. Any and all photographs, recordings, videotapes, computer disks or any other formats, recording visual images or sound that have been gathered to show liability or damages in your case.
6. Any claimed admissions made by any employees working for the government.
7. Any documents in your possession assessing physical or mental impairment of any type, in your actual or constructive possession.
8. Any and all governmental medical records or private healthcare records in your actual or constructive possession to include any outpatient records, imaging studies, lab studies, physicians' or nurses' notes, or any other type of medical records.
9. Any and all medical records, reports, findings, diagnostic testing, imaging studies, or similar records relating to any issues in this lawsuit.
10. Any copies of payments made by any insurance companies for issues forming the basis of this lawsuit.
11. Any demand letters sent to any potential defendants making a claim for damages or benefits.
12. Any outstanding bills of any type related to medical expenses or any other related to this lawsuit that remain outstanding and have not been paid to date.
13. Any and all contracts or agreements or referrals between you and any other party or organization concerning your legal representation relating to this lawsuit.
14. Any summary of medical records or chronology you have reviewed.

15. A list of all lawsuits in which you have been a defendant, including cause number, style of case and plaintiff's attorney's name.
16. A list of all lawsuits in which you have been a plaintiff, including cause number, style of case and plaintiff's attorney's name.